

Message Text

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ACTION EB-11

INFO OCT-01 ARA-16 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 L-03 SSO-00

NSCE-00 SS-20 NSC-07 USIE-00 PRS-01 PA-04 DRC-01

INRE-00 /084 W

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O 262315Z JUN 74

FM AMEMBASSY LIMA

TO SECSTATE WASHDC IMMEDIATE 730

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E.O. 11652: N/A

TAGS:CIVAIR - BRANIFF/AEROPERU PROBLEM - SITUATION REPORT

REF: STATE 137171

1. SUMMARY: DCM INFORMED MARCHAND AT FOREIGN MINISTRY OF SUBSTANCE PARAGRAPHS 3 AND 4 REFTEL, INCLUDING EXTENDING INVITATION TO GOP TO CONSULT IN WASHINGTON IN EARLY JULY. EMBASSY AGAIN REMINDED GOP OF PROVISIONS OF BILATERAL REGARDING NEW FREQUENCIES. SOUTH AND OTHER BRANIFF OFFICIALS HAVE MET WITH OFFICIALS OF BOTH FOREIGN AND TRANSPORT MINISTRIES AND HAVE INFORMED MINISTER MENESES BOTH ORALLY AND IN WRITING THAT BRANIFF IS SUPPORTING APPEAL TO CAB FOR REMOVAL OF CONDITIONS TO AEROPERU OPERATING PERMIT. IN RESPONSE, MENESES HAS WRITTEN BRANIFF THAT IF CONDITIONS ARE NOT REMOVED, ALL BRANIFF FLIGHTS WILL BE CANCELLED. AT PRESS CONFERENCE JUNE 26, PRESIDENT VELASCO REFERRED TO MATTER, SAYING GOP HAD ADOPTED A "REVOLUTIONARY DECISION", BUT EXPRESSED CONFIDENCE THAT MATTER COULD BE RESOLVED. END SUMMARY

2. DCM INFORMED AMBASSADOR MARCHAND AS INSTRUCTED PARAGRAPHS 3 AND 4 REFTEL. MARCHAND ASKED TO BE INFORMED IN WRITING OF U.S. INVITATION TO CONSULT AND EMBASSY COMPLIED WITH NOTE
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DELIVERED AFTERNOON JUNE 26. (NOTE ALSO REITERATED PROVISIONS

OF 1966 AMENDMENT TO BILATERAL RELATING TO INSTITUTION OF FREQUENCIES AND REPEATED HOPE THAT, PENDING CONSULTATIONS, BRANIFF CAN FLY NEW FREQUENCIES AS PLANNED ON JULY 1.) DCM ALSO DISCUSSED NEW BRANIFF FREQUENCIES WITH MARCHAND, WHO WAS NONCOMMITTAL.

3. IN MANTIME, DEL SOLAR OF BRANIFF HAS CONFERRED AT LENGTH WITH MARCHAND (A PERSONAL FRIEND) ON MATTER NEW FREQUENCIES, BUT SO FAR WITHOUT APPARENT RESULT. FURTHER, ON JUNE 24, PFLUKER SENT LETTER TO MINISTER MENESES ASSURING HIM THAT BRANIFF IS SUPPORTING AEROPERU'S EFFORTS TO HAVE CONDITIONS TO ITS OPERATING PERMIT REMOVED. BRANIFF WAS ALSO INFORMED THAT AIR MINISTER GILARDI HAD RAISED BRANIFF/AEROPERU QUESTION IN JUNE 24 CABINET MEETING IN UNHELPFUL MANNER, AND THAT RESULT FOR BRANIFF OF GILARDI'S PRESENTATION HAD BEEN "NEGATIVE". BRANIFF WAS TOLD TO EXPECT LETTER FROM MENESES EXPLICITLY DENYING BRANIFF PERMISSION TO OPERATE ITS NEW FREQUENCIES ON JULY 1.

4. IN EARLY AFTERNOON JUNE 26, BRANIFF RECEIVED A SHORT LETTER FROM MENESES DATED THE DAY BEFORE WHICH UNEXPECTEDLY SAID NOTHING ON NEW FREQUENCIES. INSTEAD, MENESES REFERRED TO TWO CONDITIONS TO AEROPERU'S OPERATING PERMIT, WHICH HE SAID WERE INCONSISTENT WITH PRINCIPLE OF RECIPROCITY EXPRESSED IN U.S./PERU AVIATION BILATERAL. LETTER CONCLUDED THAT "IF AEROPERU DOES NOT OBTAIN THE REQUESTED PERMIT WITHOUT RESTRICTIONS OF ANY KIND, SUCH AS THE PERMIT THAT BRANIFF HAS TO COME TO PERU, WE WILL CANCEL IMMEDIATELY ALL BRANIFF FLIGHTS TO AND FROM LIMA." BRANIFF OFFICIALS SPECULATE THAT LETTER WAS DIRECT OUTGROWTH OF CABINET MEETING. (NOTE: BRANIFF'S OPERATING PERMIT WAS ACUTALLY CANCELLED SOME WEEKS AGO AS RESULT CHANGE IN PERU'S AVIATION LAW, AND BRANIFF IS IN FACT CURRENTLY OPERATING WITHOUT A PERMIT.).

5. DURING COURSE PRESS CONFERENCE JUNE 26, PRESIDENT VELASCO WAS ASKED WHAT MEASURES GOP INTENDED ADOPT WITH RESPECT TO "RESTRICTIONS THAT U.S. IS THINKING OF IMPOSING ON AEROPERU." PRESIDENT REPLIED, "IN THE MEETING OF THE CABINET, IT WAS AGREED TO SEND A NOTE TO THE CIVIL AVIATION AUTHORITIES OF THE UNITED STATES AND ANOTHER NOTE TO BRANIFF. IN THESE (NOTES) WE LIMITED OFFICIAL USE

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STATED THAT IF AEROPERU IS NOT ALLOWED TO FLY FREELY BY A GIVEN DATE, WE WOULD NOT ALLOW BRANIFF COMMERCIAL FLIGHTS IN PERUVIAN TERRITORY. I HOPE AND AM CONFIDENT THAT THIS MATTER WILL BE SOLVED SATISFACTORILY. WE TOOK A REVOLUTIONARY DECISION."

6. BRANIFF IS REPLY TO MENESES' LETTER, REITERATING ITS SUPPORT FOR AEROPERU'S POSITION. EMBASSY ISSTAYING IN CLOSE TOUCH WITH

FOREIGN MINISTRY AND INTENDS MAKE FURTHER APPROACH TO MINISTER
MENESES.
DEAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AVIATION REGULATIONS, AIR SCHEDULES, AIR ROUTES
Control Number: n/a
Copy: SINGLE
Draft Date: 26 JUN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: WorrelSW
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974LIMA05179
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740169-0067
From: LIMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740613/aaaaakhm.tel
Line Count: 118
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 137171
Review Action: RELEASED, APPROVED
Review Authority: WorrelSW
Review Comment: n/a
Review Content Flags:
Review Date: 19 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 SEP 2002 by rowelle0>; APPROVED <26 FEB 2003 by WorrelSW>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: ETRN, PE, BRANIFF, AEROPERU
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005